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**Testimony of Marc Anthony Gallucci, Esq.  
Aging Committee - March 8, 2022  
RE: 5311; 5314; 261; 264; and 265.**

Dear Honorable Members of the Aging Committee:

Today, I am testifying for the members and consumers of Center for Disability Rights on five bills. I am the Chief Advocate and Chief Officer of Center for Disability Rights which is one of CT's five Centers for Independent Living.

The following are

**5311 AN ACT ENCOURAGING SOCIALIZATION FOR NURSING HOME RESIDENTS BY PROVIDING TRANSPORTATION FOR VISITS WITH FAMILY.**

We support anything that can be done to facilitate the socialization of nursing home residents and the maintenance of their connections to their communities and families. However, this Bill does not go far enough and has limitations that do not make sense.

For instance, 5311 states that the nursing facility or SNF shall facilitate transportation within the municipality that the nursing home is locating in. Why this limitation? Most municipalities do not have a SNF within their towns. Most nursing home residents reside in SNFs that are not located in towns that they previously residing in, and certainly not in towns that their relatives reside in.

Further, in some case, the SNF may actually be closer to points in a municipality that is not the same as the one the SNFs are located within. For example, Jewish Senior Services is located on the Bridgeport side of Park Avenue. The way the language of the bill is written, the SNF would escape the obligation to facilitate transportation across

the street into Fairfield, but would be mandated to facilitate a ride 3 miles away in another part of Bridgeport.

This should be changed to read “a radius of a certain number of miles” (perhaps 20) or within the broader public transit district that serves the municipality where the SNF is located. In that way, for instance, a resident residing at Jewish Senior Services would be able to get a ride anywhere within the Greater Bridgeport Transit District or even beyond.

In fact, this Bill should go further than contemplating a SNF owned or operated service, and state that the SNF shall have an obligation to facilitate access to the public ADA Para-transit and Dial-a-Ride services that serve the municipality and region where the SNF is located. Several good SNFs already do this;

### **5314 AN ACT DETERRING FRAUD AND ABUSE PERPETRATED AGAINST SENIOR CITIZENS.**

We support this Bill and especially the provision about disclosure of business relationships between SNFs and services that they refer residents to for the purpose of long term planning and Medicaid applications. I have seen too many consumers who have been told they must liquidate their homes and hand the money over to the SNF and this is simply not the case. In fact, it goes against State policy to encourage people to save their homes so that they have a place to return to instead of being stuck in a SNF;

### **261 AN ACT CONCERNING A STATE INCOME TAX DEDUCTION FOR HOME HEALTH CARE COSTS.**

**To allow for a state income tax deduction of up to sixty thousand dollars for home health care costs.**

We strongly support this Bill 261. This will be a game changer and encourage more families to assume responsibility for caring for their loved ones in need of long term care services at home rather than shifting the responsibility onto the State of CT to care for people. If we are serious about keeping people in their communities and helping them to age-in-place, this is a no brainer, and our hat is off to the fine Members who introduced this.

Aside from empowering families to take care of their loved ones, and preserving the dignity of people who need long term care supports, this Bill will also save the State money as fewer people will need to go into SNFs;

## **264 AN ACT CONCERNING A QUALIFIED DEDUCTION FROM MEDICAID APPLIED INCOME FOR CONSERVATOR COSTS.**

**To authorize a qualified deduction from the income a Medicaid applicant or recipient must apply to the cost of care and not treat payment made by a Medicaid applicant or recipient to a conservator as an improper transfer of assets.**

We support Bill 264. It has been a long standing practice that Probate costs and conservator fees are allowed to be deducted out of the monthly applied income for the months that the costs are incurred. Unfortunately, your typical SNF resident and their families are unaware of this; and in some cases, they are erroneously told that it is not allowed by the businesses offices of the SNFs. Even some DSS workers seem to hold this belief, and I have been in many battles with DSS workers who have labeled these fees as improper transfers.

We need to codify this and make it clear that these fees are deductible. And we need to go further and make it clear that contributions to Special Needs and pooled trusts also are deductible from applied income. And finally;

## **265 AN ACT CONCERNING NOTICE OF STAFF-TO-PATIENT RATIOS, ROOM TELEPHONE ACCESS AND ASBESTOS MITIGATION MEASURES AT NURSING HOME FACILITIES.**

We are particularly interested in in the telephonic communications part of this Bill 265. We have been advocating for years that people have a fundamental right to have communications with the outside world. Some SNFs are very blatant and serious violators of this right; and even deny people who have the money to pay for phones themselves the right to have one installed for their use.

During COVID, this issue has come to the forefront as many people were unable to visit with their loved ones in SNFs. In some cases, people who have their own devices were able to zoom or FaceTime or text and e-mail as well as call. In some cases, staff at SNFs were able to facilitate these communications and sometimes with devices owned by the

SNFs. But some SNFs put up extreme barriers between their residents and the outside world and sometimes for nefarious and self-serving reasons.

The language in the Bill should go further because “house phones” in common areas aren’t really a solution. There is no privacy in common areas, and sometimes people can’t get to common area phones unless staff take them. Also, these common area phones typically do not have features that some people who have hearing or vision disabilities need to make use of them.

This Bill should make clear that residents have a right to their own phones and devices and that they shall be allowed to deduct the expenses for them from their monthly applied income.

This will have not only have the effect of reducing isolation of SNF residents, but it will also act as another safe guard for the health and safety of residents and reduce neglect and abuse in the SNFs. Every resident should have a right to easy and safe and confidential communications with the outside world including the Long Term Care Ombudsmen.

Respectfully, Submitted:

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